

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8)			
Applicant(s): Bernstein et al.		Docket No. BUR920040022US1	
Application No. 10/709,076	Filing Date 4/12/2004	Examiner Huynh, Yennhu B.	Group Art Unit 2813
Invention: FINFET TRANSISTOR AND CIRCUIT			
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<p>I hereby certify that this <u>2</u> Restriction Election (2 pages) <small>(Identify type of correspondence)</small> is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>703-872-9306</u> on <u>6/10/2005</u> <small>(Date)</small></p> <p style="text-align: right; margin-top: 20px;"> Kim Dwileski <small>(Typed or Printed Name of Person Signing Certificate)</small>  <small>(Signature)</small> </p> <p style="text-align: center; margin-top: 20px;"> Note: Each paper must have its own certificate of mailing. </p>			

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Applicant(s): Bernstein *et al.*

Examiner: Huynh, Yennhu B.

Serial No.: 10/709,076

Art Unit: 2813

Filed: 4/12/2004

For: **FINFET TRANSISTOR AND CIRCUIT**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESTRICTION ELECTION

In response to the Restriction Requirement dated May 17, 2005, Applicants hereby provisionally elect Group I, claims 1-6, 13-18, 25-29 and 35-39, drawn to an electronic device, classified in Class 257, subclass 371. This election is made with traverse, and Applicants hereby reserve the right to file a divisional application in connection with unelected claims 7-12, 19-24, 30-34 and 40-46, drawn to a method for tuning the drive strength of an electronic device.

With regard to the Restriction Requirement, Applicants respectfully submit that the subject matter of all claims 1-46 is sufficiently related that a thorough search for the subject matter of any one group of claims would encompass a search for the subject matter of the remaining claims. Thus, Applicants respectfully submit that the search and the examination of the entire application could be made without serious burden. See MPEP § 803, in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits." Applicants respectfully submit that this policy

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should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Should the Examiner require or request anything further from Applicants prior to examination, the Examiner is requested to contact Applicants' undersigned representative at the telephone number below. Otherwise, Applicants request early and favorable examination on the merits. The Director is hereby authorized to charge and/or credit Deposit Account No. 09-0456.

Date: 06/10/2005

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